

AMENDED IN SENATE MAY 4, 2005

SENATE BILL

No. 672

Introduced by Senator Cox
(Coauthors: Senators Romero, Scott, and Torlakson)

February 22, 2005

An act to amend Section 84810.5 of the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

SB 672, as amended, Cox. Community colleges: inmate education programs: computation of apportionments.

Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges.

Existing law provides that, notwithstanding open course provisions in statute or regulations of the board of governors, the governing board of a community college district that provides classes for inmates of certain facilities, including a federal correctional facility, may include the units of full-time equivalent student generated in those classes for purposes of state apportionment.

This bill would instead require the open course provisions in statute or regulations of the board of governors to be waived for any governing board of a community college district that provides those classes for inmates, including also inmates of state correctional facilities, and would authorize the board of governors to include the units of full-time equivalent—~~student~~ *students* generated in those classes for purposes of state apportionment.

Existing law provides for the method of computing apportionments for purposes of these inmate education programs.

This bill would make revisions to that method of computation.

The bill would prohibit a community college district from claiming, under the bill, for purposes of apportionment, any class for which district receives full compensation for its direct education costs for the conduct of the class from any public or private agency, individual, or group of individuals, and any class offered pursuant to a contract or instructional agreement entered into between the district and a public or private agency, individual, or group of individuals that has received from another source full compensation for the costs the district incurs under that contract or instructional agreement.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 84810.5 of the Education Code is
2 amended to read:

3 84810.5. (a) Open course provisions in statute or regulations
4 of the board of governors shall be waived for any governing
5 board of a community college district that provides classes for
6 inmates of any city, county, or city and county jail, road camp,
7 farm for adults, or state or federal correctional facility. *This*
8 *section shall not be construed to authorize the waiver of open*
9 *course provisions in any context or situation other than those*
10 *that are specifically authorized in this section.* The board of
11 governors may include the units of full-time equivalent student
12 (FTES) generated in those classes for purposes of state
13 apportionment. The attendance hours generated by credit or
14 noncredit shall be added and counted for apportionment
15 purposes.

16 (b) Notwithstanding any other provision of law, no funds for
17 inmate education programs provided pursuant to this section
18 shall be considered as part of the base revenues for community
19 college districts in computing apportionments as prescribed in
20 regulations of the board of governors. When computing
21 apportionments for districts that provided inmate education
22 programs in the 2004–05 fiscal year, the student workload
23 measures generated and revenues received for that year shall be
24 added to their noncredit base revenue and noncredit base
25 workload measures for the following year.

1 (c) No community college district may claim for purposes of
2 state apportionment under this section any class to which either
3 of the following applies:

4 (1) The district receives full compensation for its direct
5 education costs for the conduct of the class from any public or
6 private agency, individual, or group of individuals.

7 (2) The district has a contract or instructional agreement, or
8 both, for the conduct of the class with a public or private agency,
9 individual, or group of individuals, that has received from
10 another source full compensation for the costs the district incurs
11 under that contract or instructional agreement.

12 (d) This section shall not be construed as providing a source
13 of funds to shift, supplant, or reduce the costs incurred by the
14 Department of Corrections in administering inmate education
15 programs.